

LOW INCOME HOUSING TAX CREDITS AWARDED FOR AT-RISK DEVELOPMENTS**CHAPTER 896**

S.B. No. 1315

AN ACT**relating to low income housing tax credits awarded for at-risk developments.***Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 2306.6702(a)(5), Government Code, is amended to read as follows:

(5) "At-risk development" means:

(A) a development that:

(i) has received the benefit of a subsidy in the form of a below-market interest rate loan, interest rate reduction, rental subsidy, Section 8 housing assistance payment, rental supplement payment, rental assistance payment, or equity incentive under the following federal laws, as applicable:

(a) Sections 221(d)(3) and (5), National Housing Act (12 U.S.C. Section 1715l);

(b) Section 236, National Housing Act (12 U.S.C. Section 1715z-1);

(c) Section 202, Housing Act of 1959 (12 U.S.C. Section 1701q);

(d) Section 101, Housing and Urban Development Act of 1965 (12 U.S.C. Section 1701s);

(e) the Section 8 Additional Assistance Program for housing developments with HUD-Insured and HUD-Held Mortgages administered by the United States Department of Housing and Urban Development as specified by 24 C.F.R. Part 886, Subpart A;

(f) the Section 8 Housing Assistance Program for the Disposition of HUD-Owned Projects administered by the United States Department of Housing and Urban Development as specified by 24 C.F.R. Part 886, Subpart C;

(g) Sections 514, 515, and 516, Housing Act of 1949 (42 U.S.C. Sections 1484, 1485, and 1486); or

(h) Section 42, Internal Revenue Code of 1986 (26 U.S.C. Section 42); and

(ii) is subject to the following conditions:

(a) the stipulation to maintain affordability in the contract granting the subsidy is nearing expiration; or

(b) the *HUD-insured or HUD-held* [~~federally-insured~~] mortgage on the development is eligible for prepayment or is nearing the end of its term; or

(B) a development that proposes to rehabilitate or reconstruct housing units that:

(i) are owned by a public housing authority and receive assistance under Section 9, United States Housing Act of 1937 (42 U.S.C. Section 1437g); or

(ii) received assistance under Section 9, United States Housing Act of 1937 (42 U.S.C. Section 1437g) and:

(a) are proposed to be disposed of or demolished by a public housing authority; or

(b) have been disposed of or demolished by a public housing authority in the two-year period preceding the application for housing tax credits.

SECTION 2. The change in law made by this Act applies only to an application for low income housing tax credits that is submitted on or after the effective date of this Act. An application for low income housing tax credits that is submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.

Passed the Senate on May 11, 2015: Yeas 29, Nays 2; passed the House on May 27, 2015: Yeas 125, Nays 18, three present not voting.

Filed without signature June 18, 2015.

Effective September 1, 2015.

**POWERS AND DUTIES AND COMPOSITION OF THE BOARD
OF DIRECTORS OF THE BRIDGELAND MANAGEMENT
DISTRICT**

CHAPTER 897

S.B. No. 1362

AN ACT

**relating to the powers and duties and composition of the board of directors of the
Bridgeland Management District.**

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 3901.002, Special District Local Laws Code, is amended to read as follows:

Sec. 3901.002. CREATION AND NATURE OF DISTRICT; *IMMUNITY*. (a) The district is a special district created under Section 59, Article XVI, Texas Constitution.

(b) *The district is a governmental unit, as provided by Section 375.004, Local Government Code.*

(c) *This chapter does not waive any governmental or sovereign immunity from suit, liability, or judgment that would otherwise apply to the district.*

SECTION 2. Section 3901.006(d), Special District Local Laws Code, is amended to read as follows:

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center; and

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways, road facilities, *transit facilities, parking facilities, conduit facilities and other enhanced infrastructure*, recreational facilities, and public art objects and by landscaping and developing certain areas, which are necessary for the restoration, preservation, and enhancement of scenic beauty.

SECTION 3. Section 3901.008, Special District Local Laws Code, is amended to read as follows:

Sec. 3901.008. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in *one or more of the following*:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code;

(3) an enterprise zone created under Chapter 2303, Government Code; or

(4) an industrial district created under Chapter 42, Local Government Code.

SECTION 4. Section 3901.011, Special District Local Laws Code, is amended to read as follows: